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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/525,702	03/14/2000	Millind Mittal	042390.P7440	8578

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EXAMINER	
NALVEN, ANDREW L	
ART UNIT	**PAPER NUMBER**
2134	2

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/525,702	MITTAL ET AL.	
	Examiner	Art Unit	
	Andrew Nalven	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. Claims 1-24 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-8, 10, 12, 17, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mi et al US Patent No. 6,418,472. Mi teaches a system for using Internet based caller ID for allowing access to an object.

4. With regards to claims 1, 2, and 4, Mi discloses an identifier that identifies a microprocessor (Mi, column 3, lines 42-44) and embedded instructions, such as microcode, for comparing a hash value derived from an identifier and a key to an expected hash value (Mi, column 3 lines 47-50, column 3 lines 9-16, column 4 lines 8-20).

5. With regards to claim 3, Mi teaches the identifier comprising a processor number (Mi, column 3, lines 42-44).

6. With regards to claim 5, Mi teaches the key corresponding to a web site address (Mi, column 7, lines 5-9).

7. With regards to claim 6, Mi teaches the expected hash being derived from a key that corresponds to a web site address and a processor number (Mi, column 7, lines 9-14).

8. With regards to claim 7 and 10, Mi teaches instructions executed by a microprocessor (Mi, column 3, lines 42-50) that compare a hash derived from a key and an identifier to a second hash derived from a key and an identifier (Mi, column 8, lines 34-46).

9. With regards to claim 8, Mi teaches the communication of the result to an application (Mi, column 5, lines 33-40).

10. With regards to claim 12, Mi teaches the transmission of a request from an application to a computer system to confirm the identity of the computer system (Mi, column 5, lines 3-15), the request accompanied by a key and an expected hash value (Mi, column 5, lines 3-15), and the generation of a hash value using a second identifier and the comparison with the expected hash value (Mi, column 5, lines 38-55).

11. With regards to claims 17 and 20, Mi discloses the period checking of the identity of a computer system to ensure it is authorized to execute the application (Mi, column 8 line 62 – column 9 line 19), the delivering to a microprocessor a key and an expected hash derived from the key and a processor number and instructing a comparison to be made (Mi, column 3 lines 47-50, column 3 lines 9-16, column 4 lines 8-20), and informing an application (Mi, column 5, lines 33-40).

12. Claims 1-4, 7-9, 12-14, 16-18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Granger et al US Patent No. 6,480,959.

13. With regards to claims 1-4, Granger discloses an identifier that identifies a microprocessor (Granger, column 9 lines 67 – column 10 line 2) and embedded instructions, such as microcode, for comparing a hash value derived from an identifier and a key to an expected hash value (Granger, column 5 lines 10-25 and column 4 lines 15-17).

14. With regards to claims 7-8 and 12, Granger teaches an expected hash value derived from a key and a first identifier for a computer (Granger, column 9 line 60 – column 10 line 7) being compared to a hash value derived from a key and a second identifier for a computer system and returns the result to an application (Granger, column 5 lines 10-25).

15. With regards to claims 9 and 18, Granger teaches the application being a decryption program (Granger, column 10, lines 8-29 and Figure 1A).

16. With regards to claims 13, Granger teaches the storing of the hash value comparison (Granger, column 5 lines 20-25) and the forwarding of the result to the decryption program (Granger, column 5 lines 10-25 and column 10, lines 8-29 and Figure 1A).

17. With regards to claim 14, Granger discloses identifiers that identify microprocessors (Granger, column 9 lines 67 – column 10 line 2).

18. With regards to claim 16, Granger teaches a true response if processor numbers are identical and a false response if they are not identical (Granger, column 5 lines 10-25).

19. With regards to claims 17 and 20, Granger as described above further teaches periodic checking of the identity of the computer system (Granger, column 5, lines 10-14).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

21. Claim 10-11 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Granger et al US Patent No. 6,480,959 in view of Matsumoto EE Times Article. Granger teaches an expected hash value derived from a key and a first identifier for a computer (Granger, column 9 line 60 – column 10 line 7) being compared to a hash value derived from a key and a second identifier for a computer system (Granger, column 5 lines 10-25). Granger fails to teach the use of a key corresponding to a web site as part of the hash value. Matsumoto teaches the hash value being derived from a processor number and a key (unique bit string) corresponding to a web site (Matsumoto, Page 2, Paragraphs 4 and 5). At the time the invention was made, it

would have been obvious to a person of ordinary skill in the art to utilize Matsumoto's described method of hashing because it offers the advantage of protecting the processor's ID number from being known to a web server (Matsumoto, Page 2, Paragraph 7).

22. With regards to claim 11, Granger and Matsumoto, as described above, teach the result of the hash comparison being transmitted to a decryption program (Granger, column 5 lines 10-25, column 10, lines 8-29 and Figure 1A).

23. With regards to claim 19, Granger fails to teach the use of tamper proof software. Matsumoto teaches the use of tamper resistant software for hashing a processor number and a key (Matsumoto, Page 2, Paragraph 9). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Matsumoto's method of using tamper resistant software because it provides a defense against alteration of sensitive software (Matsumoto, Page 2, Paragraphs 8-9).

24. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan US Patent No. 6,460,076 in view of Granger et al US Patent No. 6,480,959. Srinivasan teaches a pay per view system for media. Srinivasan teaches the transmission of encrypted content and a decryption program to a computer system (Srinivasan, column 4, lines 48-54 and 60-64). Srinivasan fails to teach the decryption program comprising a hash value and instructions for periodically checking the identity of the computer system. Granger teaches the inclusion of a hash value in a program for performing period checks to the identity of a computer system (Granger, column 5 lines

10-19). The periodic checks are performed by comparing the hash value in the decryption program (Granger, column 5 lines 10-14) with a second hash value derived at least in part from an identifier for the computer system that executes the program (Granger, column 5 lines 14-16 and column 9 line 60 – column 10 line 7). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Granger's method of using hash values because it offers the advantage of protecting software developers from having their products used illegally or copied without permission (Granger, column 1, lines 33-40).

25. Claims 5-6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable Granger et al US Patent No. 6,480,959 in view of Calamera et al US Patent No 6,463,533. Granger, as described above, fails to teach the hash value being derived from a URL corresponding to the web site. Calamera teaches the use of a bit string representing a web site along with a unique identifier to create a hash value (Calamera, column 7, lines 1-8). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Calamera's described method of hashing because it offers the advantage of allowing a web site operator to block an undesirable user, but still maintain the user's anonymity (Calamera, column 3, lines 1-3).

26. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan US Patent No. 6,460,076 and Granger et al US Patent No. 6,480,959, as applied to claim 21 above, and in further view of Calamera et al US Patent No

6,463,533. Srinivasan and Granger, as described above, fail to teach the hash value being derived from a URL corresponding to the web site. Calamera teaches the use of a bit string representing a web site along with a unique identifier to create a hash value (Calamera, column 7, lines 1-8). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Calamera's described method of hashing because it offers the advantage of allowing a web site operator to block an undesirable user, but still maintain the user's anonymity (Calamera, column 3, lines 1-3).

27. With regards to claim 23, Srinivasan teaches the authorization before the downloading of the decryption program and content (Srinivasan, column 4 lines 22-29 and lines 48-54).

28. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan US Patent No. 6,460,076, Granger et al US Patent No. 6,480,959, and Calamera et al US Patent No 6,463,533, as applied to claim 23 above, and in further view of Matsumoto EE Times Article. Srinivasan, Granger, and Calamera fail to teach the use of tamper resistant software. Matsumoto teaches the use of tamper resistant software (Matsumoto, Page 2, Paragraph 9). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Matsumoto's method of using tamper resistant software because it provides a defense against alteration of sensitive software (Matsumoto, Page 2, Paragraphs 8-9).

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

30. Any inquiry regarding this communication from the exaGrangerner should be directed to Andrew Nalven at (703) 305-8407 during the hours of 7:15 AM – 4:45 PM Monday through Thursday. The exaGrangerner can also be reached on alternate Fridays.

In the event that attempts to reach the exaGrangerner are unsuccessful, the exaGrangerner's supervisor, Gregory Morse can be reached on (703) 308 – 4789.

Any response to this action should be mailed to:
ComGrangerssioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Or faxed to:
(703) 872-9306 (for formal communications intended for entry)
Or:
(703) 872-9306 (for informal or draft communications, please label "PROPOSED" or "DRAFT")
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Andrew Nalven

MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2134